B — class

App. F. IX—4

Previous References.

19 57

File No. AFD 145 DST

Serial Nos.

Agr. Dept.

Inter References.

Forest Br.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Control over S. No. 9.11.67 of Arebasanhop.

WD 04708—GPB—1,00,000—17-11-59

Forest 9/5/57

A 1/4/04

21/1/59

ಎಸ್. ನಾರಾಯಣಸ್ವಾಮಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

Sub:- Control over SN. 9, 11, 67, 69, 70 to 76, 78, 89, 86, 87 and 88 of Arebasankop.

(2)

AFR 145 DS 15

1 letter No. B 6-3-57/58, dated 15-4-57 from the C.C.F. requesting to ~~obtain~~ communicate Govt. approval to cancel the notifications already issued by the Govt. of B'bay and to issue fresh notices in the revised form:

2 The letter No. 24/16/2776 of 15-12-1956 from the Conservator of Forests Belgaum which is stated to have been ~~received~~ forwarded along with the above letter is not received in this office. Therefore, the C.C.F may be requested to send the same early. A draft letter to the C.C.F is put up for approval,

WS 9/5/5

E.C. Pillay

3 DS 7/5

One month to call for enclosure. Some already had to include enclosures are not seen. Please use my phone speak to the Dy Conservator they will impress speak.

2/3/5

DS

S/C

4 Letter No. B-6-3-65/57-58, dated 27-8-57 forwarding a copy of the Govt. No. 24/16/2776 dated 15-12-56 from the Cons. of Forests Belgaum who has requested to cancel the Notice already issued by the Govt. of B'bay, in the circumstances reported by the D.F.O Dwd. The C.C.F may be requested to send copies of the Notices for information of Govt. for taking further action.

the matter. A Draft letter to the C.C.F is put up for approval

6/6/57

9.6.57

AFD 145 D 5/5

3920/57-OTH
LAW

(5) Letter No. B6-3-65/57-58, dated 27-5-57 from the C.C.F proposing to cancel the notification No. 5133/35392-9, dated 18-9-54, issued by the Govt of Bombay for the reasons quoted by the DFTO in his letter No. C/11-A/III-108/1850 dated 5-12-1956. A Draft letter to the C.C.F communicating the cancellation of the Notice is put up for approval.

(6) To examine if there is any provision in the Income Tax Act under which notice issued under § 35(e) could be cancelled by Govt.

1/11/57

21/11/57

(7) From the notification (No. AFD 17 AFTS) kept below, it is seen that cancellation of the notifications under Sec 35(1) or 35(3) can be effected by issuing another notification. If the notices under sec 35(3) of the Act are published in the Gazette, another notification for cancellation of such notices is necessary. Necessary addition has been made in the Draft accordingly

(8) F. No. 3376/L
Sec. III

18/12/57

12.12.57

(The original letter is in page 17 shelf. Hence a draft letter & sent with the approval of L.D.)

15/12

MYSORE GOVT. SECRETARIAT
No. 1657
18 DEC 1957
LAW DEPT.

(FD 145 DST 57)

(4)

9) From the correspondence, it is not known whether the notice at page 17/c has been published in the Gazette. Therefore it ~~notification~~ is not necessary ~~at this stage~~ to put up a draft notification at this stage. Hence, the draft letter put up on page 19/c may be approved

Law-III
Oa. 1/58 - ~~now~~
7/1/58

10) Please see letter of 22-6-57 at page 13/c. To which the C.E.'s letter of 14-8-57 is a reply. It can be presumed that the notice has been published. The view taken in para 8 is therefore correct. Pl put up the draft notification for cancelling the notice.

G.P.S.
8-1-58

11) The draft notification to put up according for approval

Law
15/1/58

U
17-1

12) For favoring sending

G.P.S.
26.1.58

see F.No 3376 also
285/Law
Sec III
30-1-58

13) F.No. 285/Cons (324/III)

L.D

14) Notification cancelling rules under Act appear to be necessary. Fresh notices for prescribed under notification cancel the earlier ones.

Secy (A&F)

D-Sec
26/2

31st JAN
Sri PNN (on leave)
Sri NKH III

SIII
2-2-58
Sri NKH
13-2-58

DEPUTY SECRETARY TO GOVT.
No. 1412
27 FEB 1958

15) In view of the L.D. remarks in para No. 14 supra, the C.E.F may be requested to submit draft new notices. They will be published in the Gazette. After the C.E.F is informed for approval

25/C

AP-D 145 DSTS-7

17) Letter No. B-6-3-65/57, dated 16-1-58 from the C.C.F requesting to issue orders reg cancellation of previous Notices. The C.C.F has already been instructed in this connection. He may be reminded to send fresh draft notices as already informed. A draft letter to the C.C.F is put up for approval.

B 4/6/58

2.4.58

18) In a connected file than today drafted notification & others & sent them on 15.8 for scaling. When it comes, draft may be sent in this case also for further action.

6/8/58

20) ~~D No. 36/3-65/57~~ D No. 7356/23-6-58. Put up for perusal, after the receipt of the connected file from the L.D. reply to the C.C.F's letter will be given in view of the approved drafts.

Yes 12/8/58

12.8.58

21) Draft. Both the is in hand. On check there must be careful. Others can continue the usual & publication of conservation of the circle. We also send a revised form of notification for the usual. Sanction automation to C.7. Still holds good.

14/8/58

22) A draft letter to the C.C.F inviting his attention to the Govt letter No. AP-D 149 DSTS-7 dated 29-9-66 in the matter is put up for approval.

Yes 18/9/58

27.9.58

Issued.

29-9-58

AF-D/145 DSTS7 (6)

DB) Letter No. B-6-3-65/57. dt. 17-7-1958 from the C.C.F. — (D.S No. 8441).

In view of G.L. dt. 29-9-58 on this reminder letter may be filed

28/10.

28/10

30/10/58.

DN: 13529/58.

This is for information. The reference may be filed after perusal.

20/1/59

6/2

21.1.59

No. 46]

GOVERNMENT OF MYSORE

No. B.6-3-5/58
Encls.

OFFICE OF Chief Conservator of Forests in Mysore, Bangalore

Date 15-4-57

To

The Secretary to Government,
Agriculture & Forest Departments,
Bangalore.

Sir,

Control over survey Nos.9,11,67,69, 70 to 76, 78, 83, 86, 87 and 88 of Arebasankop.

I am forwarding herewith Conservator of Forests, Belgaum's No.24/16/2776 of 15-12-1956 for favour of obtaining Government's approval to cancel the notification already issued by the Government of Bombay and to issue fresh notices in the revised form in respect of Survey Nos 67, 69 to 74, 83 and 11 of Arebasankop in Kalghatigi Taluka of the Dharwar District.

Yours faithfully,

(M.A.MUTHANNA)
Chief Conservator of Forests.

SECRETARY TO GOVERNMENT
No. 2781
17 APR 1957
FOREST & AGRICULTURE

MYSORE GOVERNMENT SECRETARIAT
NO
17 APR 1957
ANIMAL HUSBANDARY & FOREST BRANCH

Appendix F. G.—1]

SUBJECT: Central Govt. S.N. 9, 11, 67, 69, 70 to 76, 78, 85, 86, 87, and 88 Are lessees of

Diary No. of letter replied to .....

Mysore Government Secretariat,

( )

the 195 .

Date of issue.....

Signed by..... 20.5.57

List of enclosures .....

Copied by.....

Examined by .....

Section

File No.

Serial No.

No. A12/4/DST 57 D) 20.5.57

To The C.C.F. B'lore.

Sir,

Ref:- Your letter No. B 6-3-57/57 dated 15-4-57, on the above subject.

I am directed to state that the letter No. 24/16/2776 of 15-12-56 from Conservator of Forests Belgaum which is stated to have been forwarded by you along with your above letter, has not been received in this office.

~~You should~~ Therefore send ~~to the same~~ ~~the same~~ at an early date.

Yours

WD 03736-GPB—P.Z.S.— 50,000—1-3-56

9/5/57 Reply sent to Govt.

C. F. No. 46]

GOVERNMENT OF MYSORE

A7D 4397

No. B-6-3-65/57-58
Encls. Nree

OFFICE OF Chief Conservator of Forests
Mysore, Bangalore

Date 24-5-57

To

The Secretary to Government,
Agriculture and Forest Departments,
Bangalore.

Sir,

Control over S.No.s9,11, 67, 69, 70 to 76 78, 83, 86, 87 and 88 of Arebasankop.

Ref:-Your No.AFD 145 DST 57 dated 20-5-57.

Conservator of Forests, Belgaum's letter No.24-16-2776 of 15-12-56 is submitted herewith as desired. A copy of Government of Bombay's letter No.5133/55392-J dated 18-9-54 referred to therein in by the Conservator of Forests, Belgaum is also enclosed for favour of information.

Yours faithfully,

(M.A.MUTHANNA)
CHIEF CONSERVATOR OF FORESTS.

SECRETARY TO GOVERNMENT
No.
29 MAY 1957

MYSORE GOVERNMENT SECRETARIAT
NO
20 MAY 1957
ANIMAL HUSBANDARY & FOREST BRANCH

7/C

Below No.C/11-A/III-108/1850 dated 5th December, 1956 from the Divisional Forest Officer, Dharwar.

****

Subject:-Control over survey Nos.9,11,67,69,70 to 76,78,83,86,87 and 88 of Arebasankop.

No.24/16/ 2776 of 1956-57.
Belgaum, 15 December, 1956.

Submitted to the Secretary to Government of Mysore, Home,Forest and Agriculture Departments with reference to Bombay Government, Agriculture and Forests Department's notice No.5133/55392-J dated 18th September, 1954.

2. Under the circumstances stated by the D.F.O. Dharwar, Government may kindly be moved to cancel the notice already issued by Government of Bombay so as to enable the Conservator of Forests, Belgaum Circle, to issue fresh notices in the revised form as approved in Bombay Government, A & F.Dept. Resolution No.MFP.1254 of 12-8-1955.

N.S. Kaikini

(N.S.Kaikini)
Conservator of Forests,
Belgaum Circle.

Submitted through the Chief Conservator of Forests, Mysore State, Bangalore.

9/e (11)

Letter

To

The Conservator of Forests, Belgaum Circle, Belgaum.

No. C/11-A/III-108/1850 of 56-57. Dharwar, 5-12-1956.

Subject: Control over survey Nos. 9, 11, 67, 69, 70 to 76, 78, 83, 86, 87, and 88 of Arebasankop.

Ref: Government letter No. 5133/55392-J of 18-9-1954.

Out of 3 notices under Section 35(3) of the Indian Forest Act received under above Government letter only two notices have been served on the two owners. The third owner could not be served with the notice as his whereabouts were not known. It is learnt that there are some more persons who are interested in the survey numbers and to whom fresh notices are to be issued. The enquiry reveals that survey numbers 67, 69 to 74, 83 and 11 are fit for application of Section 35(1) of the Indian Forest Act. The remaining survey numbers are reported to be devoid of treegrowth and to have been partly brought under cultivation.

2. In the circumstances stated above fresh notices in the revised form will be prepared in respect of the survey numbers 67, 69 to 74, 83 and 11 after ascertaining the correct address of the owners from the Mamlatdar of Kalghatgi. The Government may kindly be moved to cancel the notices previously issued by Government.

(J.D.Mascarenhas)
Divisional Forest Officer,
Dharwar.

S.K.
5/12

11/e

Copy of Government A & F.D. letter No. 5133/56382-J of 18-8-1934.

" Reference letter, No. 24/16/1738, dated the 6th September, 1934, from the Conservator of Forests, Southern Circle, copy enclosed for eady reference.

The 3 notices received with the letter under reference are forwarded herewith duly signed. You are requested to serve them on the parties concerned, under intimation to Government.

By order and in the Name of the Governor of Bombay etc.

TRUE COPY

Divisional Forest Officer,
Dharwar.

13/e

Appendix F. G.—1]

SUBJECT: Control over S.N. 9, 11, 67, 69, 70 to 76, 78, 80, 86, 87 and 88 of the Lasaunkofs

Diary No. of letter replied to .....

Mysore Government Secretariat,

( )

the 195 .

Date of issue.....

Signed by.....

Section

File No.

Serial No.

No. AFD 145 DST 57 dt 22.6.57.

To

The C.C.F., Mysore.

Sir,

Ref:- Your letter No. B-6-3-65/57-58, dated 27-5-1957, on the above subject.

2) I am directed to request you to pl obtain copies of the Notices under reference issued by the Govt of Bibay ~~for infor~~ from the D.T.O. Dharwar and submit them to Govt for information so that further action to cancel the same will be taken by Govt.

List of enclosures .....

Copied by.....

Examined by .....

C. F. No. 46]

GOVERNMENT OF MYSORE

No. B[redacted]-3-65/57 OFFICE OF Chief Conservator of Forests in Mysor
Encls. one Bangalore.

MYSORE GOVERNMENT SECRETARIAT
NO. 8153
0 AUG 1957
ANIMAL HUSBANDARY & FOREST BRANCH

Date 14 August 1957.

To

The Secretary to the Government of Mysore,

Agriculture and Forest Departments, Bangalore.

Sir,

Sub: Central over S.Nos.9,11,67,69,70 to 76 78,83,86,87,88 of Arebasankop in Dharwar District.

20 AUG 1957

Ref: Govt. letter No.AFD.145.DST.57 of 22.6.57.

.....

A copy of notice No.5133/55392-J dated 18th September 1954 is submitted herewith as desired.

Yours faithfully,

(M.A.Muthanna)
Chief Conservator of Forests.

mlg.14/

N O T I C E.

Agriculture and Forests,
Department.
Bombay Castle, 18th September, 1954.

No.5133/55392-J

In exercise of the powers conferred by Sub-Section (3) of Section 35 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Bombay calls on Shri. Shivappayya Sanmahadevappayya Mahapurush Vithalpur Taluka Shirhatti, Shri. Bhistappayya Sanmahadevappayya Mahapurush at Mowundi, P.O. Neglur, Taluka Haveri and Shri. Mahadevappayya Shivappayya Mahapurush, Joshi Galli, Near Ravivar Peth, Dharwar to appear before Divisional Forest Officer, Dharwar within two months to show cause why the accompanying notification should not be made by the Government of Bombay under Sub-Section (1) of Section 35 of the said Act in respec of the forests specified below and belonging to him.

If the said owner fails to comply with this notice it wil be assumed that the said owner has no objection to making the said notification.

Particulars of the Forests,

District Dharwar.		Taluka Kalghatgi.		Village Arebasankop.	
Survey No.	Area. A. G.	Sy.No.	Area. A. G.	Sy.No.	Area. A. G.
9	6-26				
11	27-11	76	27-29	87	2-6
67	107-39	78	8-19	88	15-31
69	37-35	83	78-13		
70	2-12	86	2-14		
71	2-38				
73	136-12				
74	94-9				
75	19-32				

By order and in the name of the
Governor of Bombay,

Sd/- X X X
Assistant Secretary to Government.

Copy to the Divisional Forest Officer, Dharwar.

Copy
Sabbe Cooks
Chief Conservator of Forests

M. G. S. App. F VI—G. 2]

SUBJECT: Control Office S.No 9, 11, 67, 69, 70 to 76, 78, 83, 86, 87 and 88 of Arebasankop

Diary No. of letter replied to.....

Mysore Government Secretariat

( )
the 195 .

Date of issue.....195

Signed by.....

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Not to be published

(X) If this Notice has been published in the Gazette, a draft-notification cancelling this notice should be submitted to Govt for publication

No. AF-D 165 DSTS

Section

Serial No.

File No.

~~Proceedings of the Government of Mysore~~

To

~~Read~~

The C.C.F. Bilore

Sir,

Ref:- Your letters No. P6-3-65/57 Dated 15-4-57 and 14-8-57 on the above subject.

~~Order thereon.—No.~~

2. I am directed to state that Govt have approved to cancel the Notice No. 5BB/55392-J, Dated 18-9-56 issued by the Govt of Bombay and to issue fresh notices in the revised form in respect of S.No 67, 69 to 74 83 and 11 of Arebasankop in Kalghatgi of Dharwar Dist (X)

Yours faithfully,

Not by seen to Govt

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

Not issued

2/c (12)

Notification

No APD 145 DST 5

Whereas by Govt Notification Agri & Forests Deptt No 5153/55392-J ~~from Govt of Bihar~~ Dated 18 Sept 1954, the following persons were called upon to appear before the D.F.O Dharwar within two months to show cause why the notification should not be ~~made~~ issued by the Govt under Sub-section (1) of Section 35 of the said Act in respect of their private forests.

~~And Whereas it has~~

(1) Shri Shivappayya S/o Sangappa Mahadevayya Mahajanapth at Merwandi

(2) Shri Mahadevayya Shivappayya Mahajanapth, Dharwar.

And Where as, it has been decided by K. Lal Thom to ~~rescind~~ cancel the said Notice, ~~in the matter~~

Now therefore, the Govt of Mysore hereby rescinds the said notifica-

WD 03737-GPB—PZS- 50,000—1-3-56.

(18)

Ion No. 5133/55392-J, Inland

18-9-1954.

By order etc

U N S Short
~~Asst Secy to Govt~~

To
The Comptroller Mysore Gazette Bloc.
for publication in the Gazette.

Copy forwd to the C.C.F Bloc for information and further action with ref to his letter No. BG-3-65/57 dated 14-8-1957.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

Sd/-
28.3.58

N: central over SN: 9, 11, 67, 69 70 & 76, 78, 83, 86, 87 & 88 of Arebaankop in Dharwar Dist.

No. AFR 145 DST 57 of 28.3.58

To

The C.E.P. B'lore

Sir,

Ref:- your letter No. BB-3/57-58 Dated 15-4-57, on the above mentioned subject.

2) I am directed to state that a fresh notification cancelling the notices already issued ~~does not appear to be~~ is not necessary; as fresh notices proposed to be issued would by implication cancel the earlier ones.

You are therefore requested to submit to Govt. draft notices proposed to be issued so that they will be published in the Gazette.

Y. f.

Hd. D.S. to Govt.
10/3/58

Ag. P.D. B'lore

WD-05448-GPB—PZS—90,000-27-9-56.

C. F. No. 45]

GOVERNMENT OF MYSORE

OFFICE OF

No. B-6-3-65/57
Encls. 2 (Two).

Chief Conservator of Forests
Mysore, Bangalore.

To

Date 16-1-1958

The Secretary to Government,
Agriculture and Forest Departments,
Bangalore.

Sir

Sub:-Control over private forest SNos 9, 11, 67 etc. of Arebasankop in Kalghatgi Taluka, Dist. Dharwar.

In continuation of this office letter of even number dated 19-8-57, I forward herewith Conservator of Forests, Belgaum's No.24-16-2573 dated 1-1-1958 for favour of perusal. Government may kindly be moved to issue early orders cancelling the previous notice issued by the Bombay Government.

Yours faithfully,

(K.Kadambi)
Chief Conservator of Forests.

AS/16/1.

Recd on 1/3/58

27/c (24)

Below No.C/11-A/III-108/1384 of 13th December,1957 from the Divisional Forest Officer, Dharwar.

Sub: Control over Survey Nos. 9,11,67,70 to 76, 78,83,86, to 88 of Arebasan kop.

No.24/16/2573 -- of 1957-58.
Belgaum, 31 December,1957.

Submitted (in duplicate) to the Chief Conservator of Forests in Mysore,Bangalore, ~~Bangalore~~ with reference to this office No.24/16/1086 of 1.8.1957 for favour of taking necessary further action in the matter.

N.S. Kaikini

(N.S.Kaikini)
Conservator of Forests,
Belgaum Circle.

Copy forwarded to the Divisional Forest Officer, Dharwar for information.

MHN: 28.12.

29/c (22)

Subject:- Control over Survey Nos. 9,11,67,70 to 76, 78, 83, 86 to 88 of Arebasankop.

No. C/11-4/III-108/ 1384 of 57-58.
Dharwar, 13-12-1957.

Letter.
To

The Conservator of Forests, Belgaum Circle, Belgaum.

Ref:- This Office No. C/11-4/III-108/643 of 22-7-57.

Government may kindly be moved to issue early orders cancelling the previous notices. On receipt of Government orders, action will be taken to issue fresh notices under Section 35(3) in respect of survey NOs. 67, 69 to 74, 83 & and 11 of Arebasankop, Taluka Kalghatgi.

(J.D.Mascarenhas)
Divisional Forest Officer,
Dharwar.

G.K. 12/12

[M. G. S. App. F VI—G. 2]

SUBJECT: Control over private forest S.No.s 9, 11, 67 etc. of Ale Kasanur of in Kalghatgi Taluk, Dist. Dharwar.

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195 .

Date of issue.....195 .

Signed by.....

genned 24/4

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

No. AR 165 DST 57.

~~Section~~ 24-4-58

~~Serial No.~~

~~File No.~~

~~Proceedings of the Government of Mysore~~

To

~~Read~~ The C.C.F. B'lore

Sir,

Ref: your letter No. B 6-3-65/57 dated 16-1-1958, on the above mentioned subject.

~~Order thereon.—No.~~

2) I am directed to ~~state that~~, invite your attention to the Govt. letter of even number dated 28-3-58, in this connection you are requested to submit to Govt. draft notice proposed to be issued, at an early date as directed ~~already~~.

By order,

1/4/58

Dy. S. to Govt.
Ag. P.D. B'lore

33/c

No. B6/3-65/57.
Enc.. one.

OFFICE OF THE CHIEF CONSERVATOR
OF FORESTS IN MYSORE
BANGALORE DATED THE 16th JUNE 1958

The Secretary to Government of Mysore,
Agriculture and Forest Departments,
Bangalore.

Sir,

NO.....
16 JUN 1958
A. & F. DEPTT. CO-OPERATION BRANCH

Sub: Control over S.Nos. 9, 11, 67, etc., of Arebasankop in Dharwar District.

Ref: Govt. Letter Nos. AFD-145-DST/57 dated 28-3-1958 and 24-4-1958.

-o-o-o-

MYSORE GOVERNMENT SECRETARIAT
NO. 73565
ANIMAL HUSBANDARY & FOREST BRANCH

Under the Bombay Government's Notification A&F Department No.MFP-1254-J dated 12-8-1955 (copy enclosed for ready reference), the Conservators are authorised to issue notices under Sub-section (3) of Section 35 of the Indian Forest Act, in respect of forests situated within their respective circles. Accordingly, the notices under Sub-section (3) of section 35 were so far being issued and sent for publication in the Government Gazette by the Conservator of Forests, Belgaum direct. But from the orders contained in the above government letters, it appears that they are now to be sent to government for publication in the government gazette. In view of this, I may kindly be informed whether the Bombay Government's orders authorising the Conservator of Forests, Belgaum to issue notices under section 35(3), should be considered as cancelled. In my opinion, it appears desirable to continue the existing procedure so far being followed by the Conservator of Forests, Belgaum to send the notices to be issued under section 35(3) direct to the Press for publication instead of submitting them to Government through this office, which involves delay.

Early orders are solicited.

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests

NS.12

Recd on 28/6
Transferred to Sri
SK
28/6

35 (25)

INDIAN FOREST ACT 1927
AMENDMENT OF RULES UNDER

GOVERNMENT OF BOMBAY AGRICULTURE AND FOREST DEPARTMENTS
Resolution No.MFP-1254, SACHIVALAYA BOMBAY 12-8-55

READ:

Letter from the Chief Conservator of Forests, No.15-A/710 dated the 14th May 1955:-

RESOLUTION:- The amendments to rules under Sections 35 and 36 of the Indian Forest Act, 1927, typed as an accompaniment to this government resolution, are approved. The necessary Notification is being printed in the BOMBAY GOVERNMENT GAZETTE.

By Order and in the name of the Governor of Bombay
Sd/- F.R.JOGLEKAR
Assistant Secretary to Govt.

-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-

COPY

NS.12 FOR CHIEF CONSERVATOR OF FORESTS

Accompaniment to Government resolution, Agriculture and Forests Department, No.MFP-1254 dt. 12th August 1955.

-o-o-o-o-

NOTIFICATION

Agriculture and Forest Departments, Sachivalaya.
Bombay, dated 12th August, 1955.

INDIAN FOREST ACT, 1927

No.MFP-1254-J. In exercise of the powers conferred by section 76 of the Indian Forest Act, 1927 (XVI of 1927) the Government of Bombay hereby further amends the rules publishe in Government Notification, Agriculture and Forest Department, No.5133/48513-J dated the 19th September 1950 as amended by Government Notification, Agriculture and Forests Department, No. 5133/21877-J dated the 28th May 1952, as follows, namely:-

1. FOR rule 2 of the said rules, the following rule shal be substituted namely:-

"2. NOTICES UNDER SECTION 35(3). The Conservators of Forests shall be the officers authorised to issue notices under subsection (3) of section 35 in respect of forests situated within their respective circles. Such notices shall be in Form I. The notice shall be served on the owner as laid down in sub-secti (5) of section 35 and shall also be published inthe Official gazette."

2. For Form I appended to the said rules, the following form shall be substituted namely:-

" Form I

(See rule 2)

Notice

NAMES OF THE AUTHORISED OFFICER

No. - In pursuahce of sub-section (3) of sectior 35 of the Indian Forest Act, 1927 (XVI of 1927) read with rule 2 of the rules published in Government Notification, Agriculture and Forests Departments, No.5133/48513-J dated 19-9-1950, I * the Conservator of Forests, Circle, hereby give notice to.....(name and address of ~~fax~~ owner of forest) calling on him to appear on or before.....(here insert suitable date), before.....(designation af officer appointed to hear objections) why the accompanying notification (herein after fefe-rred to as 'THE NOTIFICATION') should not be made by the Government of Bombay under sub-section (1) of the said section 35 in respect of the forest specified in the schedule hereto appended and belonging to him.

2. If the said.....(name of owner of Forest) fails to comply with this notice, it shall be assumed that the said .....(name of owner of forest) has no objection to the making of the notification.

3. I further require that for a period of..... ....(period not exceeding six momths to be specified) or till the date of the making of the notification, whichever is earli the said.....(name of owner of forest) and all persons who are entitled to or permitted to do, therein any or all of the things specified in ~~xxx~~ clause (i) of subsection (1) of the said section 35, whether by reason of any right, title or in-terest~~x~~ or under any licence or contract, or ~~xx~~ otherwise shall not, after the date of this notice and for the period or until the date aforesaid, as the case may be, do any of the following things specified in clause (i) of subsection (1) of th said section 35, namely:-

(To be filled in)

PTO

THE SCHEDULE

(here under the particulars of the forest owned by the said person)

PLACE.....

DATE.....

SIGNATURE
CONSERVATOR OF FORESTS
.....CIRCLE.

N.B. Paragraph 3 to be deleted, if not required.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF BOMBAY

Sd/- V.N.Sardesai
Secretary to Government.

-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-

COPY

NS.13

CHIEF CONSERVATOR OF FORESTS

No.B-6-3-65/57

Chief Conservator's Office,
Bangalore, dated 29-8-58.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub:-Control over private forest S.Nos.9, 11, 67 etc., of Arebasankop in Dharwar District - issue of notices under Section 35(3) of the I.F.A. by the Conservator of Forests.

Reference is kindly invited to this office letters of even numbers dated 16-6-58 and 17-7-58, and early orders of Government are requested in the matter.

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests.

MYSORE GOVT. SECRETARIAT
NO.
30 AUG
A. & F. DEPTT., CO-OPERATION BRANCH
AG/19/8.

9970.
145 DSTS

Appendix F. G.—1]

SUBJECT Control over S.M.s 9, 11, 67 etc of Agriculturists in Kalghatgi Taluk, Dist Dharwar

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195 .

Date of issue 29-9-58

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. AFD 165 DST 57 Dt 29-9-58

To The C.C.P. Bangalore

Sir,

Ref. your letter No B6/3-65/57 dated 16-6-58 and subsequent reminders, on the above mentioned subject.

2) I am directed to state that the notices may continue to be issued and published in the Gazette as before, but they may be issued by the Cons. P. in the revised form as suggested in the Govt letter No AFD 141 DST 57 dated ---

WD-01787—GPB—PZS—100,000—10-2-58.

(30)

43

GOVERNMENT OF MYSORE

No. AFD 145 DST 57.

Mysore Government Secretariat,
VIDHANA SOUDHA,

Dated, Bangalore, 29. Septr. 1958.
Aswayuja 7 Saka Era 1880.

FROM

Secretary to the Government of Mysore,
Agriculture & Forest Department.

To

The Chief Conservator of Forests in Mysore,
Bangalore.

Sir,

Sub:- Control over S.No.9,11,67 etc of Arebasankop in Kalghatgi Taluk, Dist. Dharwar.

Ref:- Your letter No. B6/3-65/57 dt. 16-6-58 and subsequent reminders, on the above mentioned subject.

I am directed to state that the notices may continue to be issued and published in the Gazette by the Conservator of Forests as before, but they may be issued in the revised form as suggested in the Government letter No. AFD 141 DST 57 dated 29-9-1958

Yours faithfully,

H.L. Lingaraj

(H.L. Lingaraj Urs) 29/9
Deputy Secretary to Government,
Agriculture & Forest Department.

29/9

DV/27.9.

AFD 145 DST 57.

29 Septr. 58
Aswayuja 7 Saka Era 1880.

Agriculture & Forest Department.

The Chief Conservator of Forests in Mysore,
Bangalore.

Sir,

Sub:- Control over S.No.9,11,67 etc of Arebasankop in Kalghatgi Taluk, Dist. Dharwar.

Ref:- Your letter No. B6/3-65/57 dt. 18-6-58 and subsequent reminders, on the above mentioned subject.

I am directed to state that the notices may continue to be issued and published in the Gazette by the Conservator of Forests as before, but they may be issued in the revised form as suggested in the Government letter No. AFD 141 DST 57 dated 29-9-58

Yours faithfully,

(H.L. Lingaraj Urs)
Deputy Secretary to Government,
Agriculture & Forest Department.

C. F. No. 45]

GOVERNMENT OF MYSORE

145 DST-57

OFFICE OF

No. B-3-3-35/57
Encls.

Chief Conservator of Forests in Mysore
Bangalore.

To

Date 17 July 1957

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.

Sir

Sub:- Control over the private forest S.Nos. 8, 9, 11, 67 etc., of Arebasankop in Dharwar District.

Reference is kindly invited to this office letter of even number dated 16-6-1953 and early orders of Government are requested in the matter, as delay in the issue of notices under Section 35(3) of the Indian Forest Act will give scope to the owners of private forests to remove the existing tree-growth in the respective areas.

MYSORE GOVERNMENT SECRETARIAT
NO. 8444
ANIMAL HUSBANDRY & FOREST BRANCH

Yours faithfully,

(K. KADAMBI),
Chief Conservator of Forests.

DVP/15/7

— b. 4/2.

In view of G. L., dt. 29-9-58 in file A.E.D. 145/DST-5) this need not be filed

LL.
24/10.

S.C. Pathak
13-X-58

Pl. incorporate in same in the new sheets

Done
LL
26/10.

Hel
25X

Office of the Chief Conservator of Forests, Bangalore.

No.B-6-3-65/57. Dt.6-12-1958.

To:

The Conservator of Forests,
Belgaum Circle,
Belgaum.

Subject: Control over S.Nos.9, 11,67, 69 to 76, 78, 83, 86, 87 & 88 of Arebasankop village in Kalghatgi Taluka of Dharwar District.

Ref: Your No.24-16-2741, dated 12-11-1958.

Sir,

Since the Survey Nos. reported to be fit for bringing under the purview of Section 35 of the Indian Forest Act, are Government waste lands as intimated by the Revenue Department, the question of issuing fresh notices under Section 35(3) of the Act does not arise.

2. As regards cancellation of the notices already issued by the Government of Bombay, your attention is invited to Government letter No.AFD 141 DST 57, dated 29-9-1958 copy furnished to you with this office endorsement No.B-6-4-66/57 of 20-10-1958, in which it is clearly indicated that it is not necessary to issue notices to cancel the notices issued already under Sub-Section 3 of the Section 35 Indian Forest Act, as the mere issue of notice does not create any rights or obligations". In view of the above Government orders, there is no necessity to take any action to cancel the notices already issued.

3. The R. of R. extracts and the mutation entry No.194 are returned.

MYSORE GOVERNMENT SECRETARIAT
NO. 13529
16 DEC 1958
FOREST BRANCH

Yours faithfully,
Sd/-

CHIEF CONSERVATOR OF FORESTS.

Copy, with copy of Conservator of Forests, Belgaum's letter under reply forwarded to the Secretary to Government, Agriculture & Forest Department, Bangalore, with reference to Govt. letter No.AFD 145 DST.57, dated 29-9-1958, for favour of information.

Encls. 2.

CHIEF CONSERVATOR OF FORESTS.

'RAN'/6-12.

5/ (85)

LETTER.

Sub:-Control over Sy.Nos. 9,11,67, 69 to 74 and 83 of Arebasankop.

No.24/16/2741 of 1958-59.
Belgaum, 8th November 1958.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

Ref:-Your No.B/6/3-65/57 dated 25-10-1958.

In forwarding herewith report No.C/11-A/III-108/1106 dated 25-10-1958 (in duplicate) together with the accompaniments received from the Deputy Conservator of Forests, Dharwar, I have to state as under:-

2. The entire village of Arebasankop in Kalghatgi Taluka was formerly an Inam land and the same was reported to have been brought under the control of Government under Section 7 of the Inam Abolition Act after declaring the same as Government waste land.

3. As the lands in the above S.Nos. are only Government waste lands and not forest lands privately owned by any individual, the question of notifying them under Section 35(1) of the Indian Forest Act does not arise. Hence it is requested that necessary action may kindly be taken to get the notices already issued by Government cancelled and the case brought to a close.

N.S. Kaikini

(N.S.Kaikini)
Conservator of Forests,
Belgaum Circle.

PVJ:4.11.

(36)

53

LETTER.

To

The Conservator of Forests,
Belgaum Circle, Belgaum.

No.C/11-A/III-108/ 1106 of 58/59. Dharwar, 25 -10-1958

Subject: Control over Sy.Nos.9,11,67,69 to 74 and 83 of Arebasankop.

Ref: Your No.24/16/(Genl.1)/9055 dated 9-8-1958.

As reported in para 2 of this office No. C/11-A/III-108/1850 dated 5-12-1956, the Tahasildar of Kalghatgi was requested to intimate the correct address of the owners of all the above S.Nos. with fresh extracts of Records of Rights for preparing fresh notices. As the particulars were not received from him, reminders were issued to him on 1-5-1958, 2-6-1958, 13-6-1958 and 25-6-1958. He however has furnished the required particulars on 28-7-1958. From the R. of R. extracts received from him it has been observed that the Sy. Nos 67, 69 to 74, 83 and 11 which were finally proposed for being brought under the provisions of Section 35, have been entered as Govt. Waste lands after deleting the names of the owners. The Tahasildar of Kalghatgi who was requested to clarify as to why the lands have been entered as Govt. Waste lands, informs that the village ~~Arebasankop~~ Arebasankop was an entire Personal Inam village and this Inam was abolished on the implementation of the provisions of the Personal Inam Abolition Act, 1952, with effect from ~~1-8-1958~~ 1-8-1955. He has further stated that under ~~the~~ the directions of the Assistant Commissioner, Dharwar Division, Dharwar, these lands were brought under Government ~~wad~~ under Section 7 of the Inam abolition Act in question, since they were uncultivated lands.

2. It was intimated by the Mamlatdars Kalghatgti in the past that the ~~Ina~~ Inam Sy.Nos. in question after the Inam abolition Act came into force stood resumed and thereafter were treated as ordinary rayatwari lands and full assessment was levied. The R. of R. then supplied by him also showed that these lands were malki lands. Hence it was intended to bring them under the provisions of Section 35(1). Since they now vest in the Government, the provisions of Section 35 cannot be applied. Hence the case may kindly be ordered to be brought to a close after cancelling the old notices issued by Govt.

3. The R.of R. extracts and the mutation entry No. 194 now supplied by the Tahasildar of Kalghatgi are ~~enclos~~ enclosed for perusal.

(J.D.Mascarenhas)
Deputy Conserv-ator of Forests,
Dharwar Division, Dharwar.

SAB/..23-10.